

### REMARKS

This application has been carefully reviewed in light of the Office Action mailed August 25, 2005. Claims 1-4, 6-14, and 19-31 are pending in the Application. Claims 5, 15-18, and 32-33 have been cancelled. Applicant respectfully requests reconsideration and favorable action of all pending claims in view of the following remarks.

#### Rejections Under 35 U.S.C. § 102 and 103

The Office Action rejects Claims 1-4, 6-9, 11, 19, 21, 24, 25, 28, 30, and 31 under 35 U.S.C. § 102(b) as being anticipated over U.S. Patent No. 5,892,901 to Landwehr et al. ("*Landwehr*"), rejects Claims 10, 20, and 27 under 35 U.S.C. § 103(a), as being unpatentable over *Landwehr* in view of U.S. Patent No. 6,185,615 to Namma et al ("*Namma*"), rejects Claims 12-14, 22, and 23 under 35 U.S.C. § 103(a) as being unpatentable over *Landwehr*, and further in view of *Namma* and U.S. Patent No. 6,249,681 to Virtanen ("*Virtanen*"), rejects Claim 26 under 35 U.S.C. § 103(a) as being unpatentable over *Landwehr* and further in view of *Virtanen*, and rejects Claim 29 under 35 U.S.C. § 103(a) as being unpatentable over *Landwehr* further in view of U.S. Patent No. 5,495,480 to Yoshida ("*Yoshida*").

Applicant respectfully traverses these rejections for the reasons discussed below. Claim 1 recites "comparing the delay time interval to an activity associated with the system communicating with the network, the activity being any communication between the system and the network" and "isolating the communication module from the network based on the comparison . . . ." This combination of limitations is not shown by *Landwehr*, which the Office Action relies on in making this rejection. Rather, *Landwehr* involves comparing a delay associated with communication between first and second devices (user-agent 12 and detector 18) and in response, potentially isolating a third device (circuit 28) from external communication. See column 3, lines 46-65 and Figure 1 of *Landwehr*. But it does not disclose comparing a delay to a **communication between the network and the system communicating with the network**. Clearly, communication with the network for which a communication module is isolated is not compared to a delay in *Landwehr*; only communication between user-agent 12 and detector 18 is compared to a delay. Clearly, communication between user-agent 12 and detector 18 is **not communication with the network from which the communication module is isolated**.

In rejecting Claim 1, the Office Action states “comparing the delay time interval to an activity associated with the system [sic] communication with the network (col. 3, lines 45-65) the activity being any communication between the system and the network (col. 1, lines 50-51).” These cited portions of *Landwehr* do not disclose comparing the delay time interval to communication between the system and the network from which a communication module is isolated, but rather show comparison of a delay to activity that is not communication with the network from which a communication module is isolated. The Response to Arguments Section states “[t]he Examiner would like to draw the Applicant’s attention to column 1 of *Landwehr*, lines 50-51 wherein *Landwehr* states, ‘another objective is to prevent access to a circuit by any means simpler than direct physical altering of the circuit.’ The Examiner has taken this phrase to include access to the circuit by communication means, not including direct physical access.” But this disclosure provides no teaching that the system of Figure 1 of *Landwehr* compares a delay timer to a communication with a network from which a communication module is isolated. Rather, as described above, *Landwehr* involves comparison of a delay timer to communication between two devices, **not communication with the network from which a communication module is isolated.**

For at least these reasons, Claim 1 is allowable, as are all claims depending therefrom. In addition, all other pending claims are allowable for analogous reasons.<sup>1</sup> Reconsideration and favorable action are requested.

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<sup>1</sup> Applicant notes that the above traverses every rejection and states several reasons why each claim is allowable, without specifically addressing each and every limitation in each claim or each and every contention made in the Office Action with respect to each limitation. This is so because, to traverse a rejection, Applicant need do no more than demonstrate the rejection is improper, which can be done merely by demonstrating the lack of even a single limitation in the cited reference for each claim. As such, Applicant has not, and need not, address each and every contention made in the Office Action with respect to the existence or lack thereof of particular limitations in the cited references. To be clear, Applicant does not necessarily acquiesce to any of the contentions made in the Office Action that are not specifically addressed in Applicant’s Response.

Applicant notes that the Office Action states at Page 2 that “[i]n Response, the Examiner would first like to point out that the Applicant has failed to rebuke the rejections presented in the previous Office Action relating to the *Landwehr*’s teaching of the ‘comparing of the delay time interval to an activity associated with a system communicating with the network,’ and therefor concedes that *Landwehr* does in fact teach it.” This is incorrect. An Office Action does not reject a limitation, but rather rejects a claim. Applicant traversed each and every rejection in the previous Office Action and made no concession regarding the above-recited limitation. Indeed, Applicant stated that the claims were allowable for “at least” the stated reasons. As described above, to traverse a rejection, Applicant need not address every limitation in a claim. To be clear, Applicant does not necessarily acquiesce to the Office Action’s above statement regarding the teaching of *Landwehr*.

**CONCLUSION**

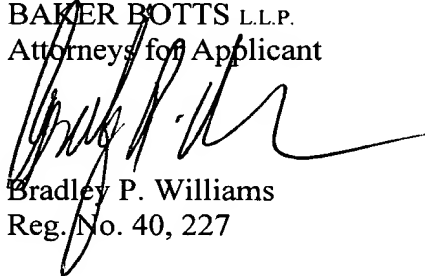
Applicant has now made an earnest attempt to place this case in condition for immediate allowance. For the foregoing reasons and for other apparent reasons, Applicant respectfully requests allowance of all pending claims.

If the Examiner feels that prosecution of the present Application may be advanced in any way by a telephone conference, the Examiner is invited to contact the undersigned attorney at 214-953-6447.

Applicant believes no fees are due. Nonetheless, the Commissioner is hereby authorized to charge any other fees and/or credit any overpayment to Deposit Account No. 02-0384 of Baker Botts L.L.P.

Respectfully submitted,

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